

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

vs.

TRACY CLARK

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CRIMINAL ACTION

No. 01-428-02

ORDER

AND NOW, this 16th day of November 2009, upon consideration of Petitioner, Tracy Clark's Motion to Vacate, Set Aside or Correct Sentence (Doc. No. 187), and the Response in opposition thereto, it is hereby **ORDERED** that the Motion is **DENIED**.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE